

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

THE STATE OF TEXAS,
Plaintiff,

v.

JOSEPH R. BIDEN, in his official
capacity as President of the United
States, et al.,
Defendants.

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CIVIL ACTION NO. 3:21-CV-309

THE STATE OF TEXAS'S
NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff the State of Texas respectfully submits this notice of supplemental authority to bring to the Court's attention *Kentucky v. Biden*, --- F. Supp. 3d ---, 2021 WL 5587446 (E.D. Ky. Nov. 30, 2021), attached as Exhibit A.

In *Kentucky v. Biden*, a coalition of states and officials brought claims against President Biden and his administration regarding the Contractor Mandate, making substantially similar allegations as those Texas has made in this matter against Defendants. *Id.* at *1-2. The plaintiffs filed a motion for temporary restraining order and preliminary injunction requesting that the court enjoin the vaccination mandate. *Id.* The court found that the plaintiff states have standing, *id.* at *3-5, that they are likely to succeed on the merits of at least some of their claims, *id.* at *5-13, and that they "are likely to suffer irreparable harm without preliminary relief and that preliminary relief is not contrary to the public interest." *Id.* at *13. Accordingly, the court enjoined the Contractor Mandate for all covered contracts in the plaintiff states.

Respectfully submitted.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document and all attachments were filed via CM/ECF on December 2, 2021, causing electronic service on all counsel of record.

/s/ Christopher D. Hilton
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